

Message Text

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ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-02 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00 H-02 INR-07

INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02 OES-06

OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15 SAL-01

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FROM LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJ: LOS CONFERENCE: COMMITTEE I: U.S. DRAFT ARTICLE 27

1. U.S. DEL ON SEPTEMBER 10 MADE AVAILABLE ON AN INFORMAL BASIS TO ALL INTERESTED DELEGATIONS THE FOLLOWING DRAFT ARTICLE 27.

QUOTE:

THE COUNCIL

COMPOSITION

1. THE COUNCIL SHALL CONSIST OF 36 MEMBERS OF THE AUTHORITY ELECTED BY THE ASSEMBLY, THE ELECTION TO TAKE PLACE IN THE FOLLOWING ORDER:

(A) THE SIX INDUSTRIALIZED STATES WHICH HAVE MADE THE UNCLASSIFIED

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GREATEST CONTRIBUTIONS TO THE UNDERSTANDING OF, THE

EXPLORATION FOR AND THE EXPLOITATION OF, THE RESOURCES OF THE AREA AS DEMONSTRATED BY SUBSTANTIAL INVESTMENTS OR ADVANCED TECHNOLOGY IN RELATION TO THE RESOURCES OF THE AREA, INCLUDING AT LEAST ONE EASTERN EUROPEAN STATE;
(B) SIX STATES FROM AMONG THE DEVELOPING COUNTRIES, INCLUDING AT LEAST TWO FROM AMONG THE LEAST DEVELOPED COUNTRIES;
(C) THE SIX STATES WHICH ARE THE LARGEST PRODUCERS OF THE CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA;
(D) THE SIX STATES WHICH ARE THE LARGEST CONSUMERS OF THE CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA;
(E) TWELVE STATES ELECTED ACCORDING TO THE PRINCIPLE OF EQUITABLE GEOGRAPHIC DISTRIBUTION, TO INCLUDE AT LEAST TWO FROM EACH OF THE FOLLOWING REGIONS: AFRICA, ASIA, LATIN AMERICA, EASTERN EUROPE, AND WESTERN EUROPE AND OTHERS.

2. AT LEAST ONE-FOURTH OF THE MEMBERS OF THE COUNCIL SHALL BE LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES.

3. IN ELECTING THE COUNCIL, THE ASSEMBLY SHALL ENSURE THAT THE MEMBERS OF THE COUNCIL, TAKEN AS A WHOLE, ACCOUNT FOR ONE-HALF OF THE VALUE OF THE PRODUCTION AND OF THE CONSUMPTION OF THE CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA ACCOUNTED FOR BY THE MEMBERS OF THE AUTHORITY.

4. A STATE PARTY WHICH IS QUALIFIED FOR ELECTION TO MORE THAN ONE OF THE CATEGORIES SPECIFIED IN PARAGRAPH 1 ABOVE SHALL SELECT THE CATEGORY TO WHICH IT CHOOSES TO BE ELECTED AND, IN THE EVENT IT IS NOT ELECTED TO THIS CATEGORY, MAY SELECT TO BE A CANDIDATE FOR ANOTHER CATEGORY FOR WHICH IT IS QUALIFIED.

5. MEMBERS SHALL BE ELIGIBLE FOR RE-ELECTION.

6. ELECTIONS SHALL TAKE PLACE AT REGULAR SESSIONS OF THE ASSEMBLY, AND EACH MEMBER OF THE COUNCIL SHALL BE ELECTED

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FOR A TERM OF FOUR YEARS.

7. THE COUNCIL SHALL FUNCTION AT THE SEAT OF THE AUTHORITY AND SHALL MEET IN CONTINUOUS SESSION, UNLESS IT DECIDES OTHERWISE.

VOTING

8. EACH MEMBER OF THE COUNCIL SHALL HAVE ONE VOTE.

9. DECISIONS ON QUESTIONS OF PROCEDURE SHALL BE MADE BY A SIMPLE MAJORITY OF THE MEMBERS PRESENT AND VOTING.

10. EXCEPT AS PROVIDED IN PARAGRAPH 11 OF THIS ARTICLE, ALL DECISIONS ON QUESTIONS OF SUBSTANCE SHALL BE MADE BY A THREE-FOURTHS MAJORITY OF THE MEMBERS OF THE COUNCIL, PROVIDED THAT SUCH MAJORITY REPRESENTS MORE THAN ONE-HALF OF THE TOTAL VALUE OF THE PRODUCTION, AS WELL AS MORE THAN ONE-HALF OF THE TOTAL VALUE OF THE CONSUMPTION, OF THE CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA ACCOUNTED FOR BY THE MEMBERS OF THE AUTHORITY. IF ANY MEMBER OF THE COUNCIL OBJECTS TO A RULING BY THE PRESIDENT ON WHETHER A QUESTION IS ONE OF SUBSTANCE OR NOT, THAT QUESTION SHALL BE TREATED AS A QUESTION OF SUBSTANCE UNLESS THE COUNCIL BY THE MAJORITY SPECIFIED IN THIS PARAGRAPH DECIDES OTHERWISE.

11. ALL DECISIONS RELATED TO THE EXERCISE OF THE COUNCIL'S POWERS AND FUNCTIONS CONCERNING THE ADOPTION OF NECESSARY AND APPROPRIATE MEASURES IN ACCORDANCE WITH PARAGRAPH 4 OF ARTICLE 9, THE BUDGET OF THE AUTHORITY AND THE ASSESSMENT OF CONTRIBUTIONS OF STATES PARTIES AND MATTERS UNDER ARTICLES SHALL BE MADE BY A THREE-FOURTHS MAJORITY OF THE MEMBERS OF THE COUNCIL, PROVIDED THAT SUCH MAJORITY REPRESENTS AT LEAST THREE-FOURTHS OF THE TOTAL VALUE OF THE PRODUCTION, AS WELL AS THREE-FOURTHS OF THE TOTAL VALUE OF THE CONSUMPTION, OF THE CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA ACCOUNTED FOR BY THE MEMBERS OF THE AUTHORITY. IF ANY MEMBER OF THE COUNCIL OBJECTS TO A RULING BY THE PRESIDENT ON WHETHER A QUESTION FALLS UNDER THIS PARAGRAPH OR NOT, THAT QUESTION

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SHALL BE TREATED AS FALLING UNDER THIS PARAGRAPH UNLESS THE COUNCIL BY THE MAJORITY SPECIFIED IN THIS PARAGRAPH DECIDES OTHERWISE.

12. BEFORE ANY MATTER OF SUBSTANCE IS PUT TO A VOTE, A DETERMINATION THAT EFFORTS HAVE BEEN MADE TO REACH GENERAL AGREEMENT SHALL BE MADE BY THE MAJORITY SPECIFIED IN PARAGRAPH 10.

PARTICIPATION BY ALL MEMBERS OF THE AUTHORITY

13. IN ORDER TO ENSURE THE WIDEST POSSIBLE PARTICIPATION BY ALL MEMBERS OF THE AUTHORITY IN THE DECISIONS OF THE COUNCIL, EACH STATE PARTY SHALL HAVE THE RIGHT TO ASSIGN THE VALUE OF THE PRODUCTION AND OF THE CONSUMPTION OF THE

CATEGORIES OF MINERALS TO BE DERIVED FROM THE AREA FOR WHICH IT ACCOUNTS TO ANOTHER STATE PARTY FOR THE PURPOSE OF COMPOSING THE COUNCIL OR TO A MEMBER OF THE COUNCIL FOR THE PURPOSE OF VOTING.

14. THE COUNCIL SHALL ESTABLISH A PROCEDURE WHEREBY A MEMBER OF THE AUTHORITY NOT REPRESENTED ON THE COUNCIL MAY SEND A REPRESENTATIVE TO ATTEND A MEETING OF THE COUNCIL WHEN A REQUEST IS MADE BY SUCH MEMBER, PROVIDED THAT A MATTER PARTICULARLY AFFECTING IT IS UNDER CONSIDERATION. SUCH A REPRESENTATIVE SHALL BE ENTITLED TO PARTICIPATE IN THE DELIBERATIONS BUT NOT TO VOTE.
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